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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

2006 APR 18 P 2:31

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
THE ARIZONA DEPARTMENT OF
TRANSPORTATION FOR THE CONSTRUCTION
OF A GRADE-SEPARATED CROSSING OF THE
BURLINGTON NORTHERN AND SANTA FE
RAILWAY AT COUNTRY CLUB DRIVE IN THE
CITY OF FLAGSTAFF, COCONINO COUNTY,
ARIZONA, AAR/DOT NO. 025-128S.

DOCKET NO. RR-02635B-06-0229

PROCEDURAL ORDER

BY THE COMMISSION:

On April 6, 2006, the Arizona Department of Transportation ("ADOT") filed with the Arizona Corporation Commission ("Commission") a request for approval for the Burlington Northern and Santa Fe Railway Company ("Railroad") to construct a grade-separated crossing over the Railroad's tracks at Country Club Drive in Flagstaff, Coconino County, Arizona at AAR/DOT No. 025-128S.

IT IS THEREFORE ORDERED that the request of ADOT shall be considered an application for the Railroad to upgrade an existing crossing pursuant to A.R.S. § 40-337, et seq.

IT IS FURTHER ORDERED that the Railroad shall be considered as the Respondent in this proceeding.

IT IS FURTHER ORDERED that the **hearing** on the application shall be held on **May 18, 2006, at 10:45 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

IT IS FURTHER ORDERED that within five business days of receipt of this Procedural Order, the Arizona Department of Transportation shall provide the Railroad and any other municipality or interested party that may be affected by the application with a copy of the application and this Procedural Order by certified mail.

...

1 **IT IS FURTHER ORDERED** that the Arizona Department of Transportation shall file
2 with the Commission's Docket Control an original and thirteen (13) copies of certification of
3 proof of compliance with this Procedural Order concurrently with the mailing of notice
4 ordered herein.

5 DATED this 18th day of April, 2006


6
7 **MARC E. STERN**
8 **ADMINISTRATIVE LAW JUDGE**

9 Copies of the foregoing mailed/delivered
10 this 18 day of April, 2006 to:

11 Michael F. Delleo, Jr.
12 Arizona Department of Transportation
13 205 S. 17th Avenue, MD 618E
14 Phoenix, AZ 85007

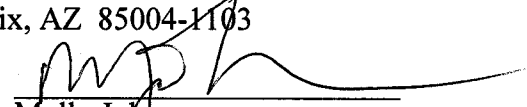
15 David Gibson
16 Traffic Records Section
17 ADOT
18 205 S. 17th Avenue, MD 064R
19 Phoenix, AZ 85007

20 Colleen Dienes
21 Public Projects
22 BNSF
23 740 E. Carnegie Drive
24 San Bernardino, CA 92408

25 Christopher Kempley, Chief Counsel
26 Legal Division
27 ARIZONA CORPORATION COMMISSION
28 1200 West Washington Street
 Phoenix, Arizona 85007

 Brian Lehman
 Railroad Safety Section
 ARIZONA CORPORATION COMMISSION
 1200 W. Washington Street
 Phoenix, AZ 85007

 ARIZONA REPORTING SERVICE, INC.
 2627 North Third Street, Ste. Three
 Phoenix, AZ 85004-1103

By: 
 Molly Johnson
 Secretary to Marc Stern